IN RE: PETITION FOR RESIDENTIAL VARIANCE* BEFORE THE SE/S of Perring Terrace, 150' SW * DEPUTY ZONING COMMISSIONER of the c/l of Wycliff Road (7633 Perring Terrace) * OF BALTIMORE COUNTY 9th Election District

4th Councilmanic District Mark A. Linthicum, et ux Petitioners

* Case No. 91-38-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * * *

The Petitioners herein request a variance to permit a side yard setback of 3 feet in lieu of the minimum required 8 feet for an attached garage in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documenta-

The Petitioners have filed the supporting affidavits as required by Section 22-26 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for \hat{n} the reasons set forth above, the relief requested should be granted.

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this What day of August, 1990 that the Petition for Residential Variance to permit a side yard setback of 3 fee. in lieu of the minimum required 8 feet for an attached garage, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief grant-

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however. Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> 2) Compliance with all building code requirements, including but not limited to, those set forth in the comments submitted by the Department of Permits and Licenses, dated August 8, 1990, attached hereto and made a part hereof.

> > 1 MNohowian

ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

AMN:bjs

91-38-A

ZONING DESCRIPTION

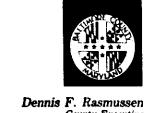
Beginning at a point on the east side of Perring Terrace which is 78.82 feet wide at the distance of 45.6 feet east of the centerline of the nearest improved intersecting street Perring Terrace which is 32 feet wide. Being Lot #(14), Block(\bar{A}), in the subdivision of Harford Park as recorded in Baltimore County Plat Book #(G.L.B.23), Folio #(65), containing 5293 square feet. Also known as 7633 Perring Terrace and located in the #(9th) election district.

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

J. Robert Haines

August 27, 1990

Mr. & Mrs. Mark A. Linthicum 7633 Perring Terrace Baltimore, Maryland 21234



RE: PETITION FOR RESIDENTIAL VARIANCE SE/S Perring Terrace, 150' SW of the c/l of Wycliff Road (7633 Perring Terrace) 9th Election District - 4th Councilmanic District Mark A. Linthicum. et ux - Petitioners Case No. 91-38-A

Dear Mr. & Mrs. Linthicum:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Residential Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

(MNs how. M ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

cc: People's Counsel

File

AMN:bjs

CERTIFICATE OF POSTING TOMING DEPARTMENT OF BALTIMORE COUNTY

Tourson, Maryland

Petitioner: Mark A. Linth icom, at ux Location of property: 5E/S Perring Terrace , 150' SW/Wycliff Rd 7633 forning Terrows. Location of Signe: Facing Parring Terror approv. 15 Fr. Non Sway an proporty of Pel. Tioner

Baltimore County Zoning Commisioner County Office Building 111 West Chesapeuke Avenue

LAST NAME OF OWNER: LINTHICUM

7/19/90 H9100025

PUBLIC MEARING FEES FRICE 010 -ZONING VARIANCE (IRL) 080 -F09TING SIGNS / ADVERTISING 1 TOTAL: \$60.00

> BA C002:11PM07-19-90 Please make checks payable to: Baltimore CounNEXT BUSINESS DAY

PETITION FÖR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore

1B02.3.B (Sec. 211.3, 1955 Regulations) To allow 3 ft. in lieu of 8 ft.

the description and plat attached hereto and made a part hereof, petition for a Variance from Section

for an attached garage in a side yard

MAP NERC

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following 0416 11-18-11

Dimensions of rear yard are inadequate to build proposed sstructure behind rear sset-baack of house. Therefore requiring proposed structure to be built on side yard. Garage is needed for storage and to protect car. (Car was previously stolen from in 1.00) front of house). CP G

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

> I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of

	dis Petition.
	Legal Owner(s):
· · · · · · · · · · · · · · · · · · ·	Mark A. Linthicum (Type or Print Name)
	Mark allen Intheain
	MELISSA A. LINTHICUM (Type of Print Name)
	Melissa a Linthicura.
	Signature
	w-828-522
	7633 PERRING TERRACE H-661-8891
	Address Phone Maryland 21234 City/State/Zip Code
	Name, address and phone number of legal owner, contract purchaser or representative to be contacted.
	purchaser or representative to be contacted.
	Name i.
	Address Phone
	1.00

DRDERED by the Zoning Commissioner of Baltimore County, this 19 74 day of 5000, 19 90, that the subject matter of this petition be posted on the property on or before the RTU day of AUG., 19 90.

ZONING CONTISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED,

Contract Purchaser:

(Type or Print Name)

City/State/Zip Code

(Type or Print Name)

Attorney for Petitioner:

Attorney's telephone number

IT 19 FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19___, that the subject matter of this petition be advertised, as required by the Zoning Law of Saltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reposted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the _____ day of _____, 19___, at _____ ofclock,

ZONING CONTISSIONER OF BALTIMENE COUNTY

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

July 25, 1990

Mr. & Mrs. Mark A. Linthicum 7633 Perring Terrace Baltimore, Maryland 21234

J. Robert Haines
Zoning Commissioner



Re: CASE NUMBER: 91-38-A ITEM NUMBER: 25 LOCATION: 7633 Perring Terrace

Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before August 8, 1990. The last date (closing date) on which a peighbor may file a formal request for hearing is August 23, 1990). Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reposting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your Order to be held and incur a \$50.00 charge. Please be advised that the Order will not be available for you to pick-up the day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

> 3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with

That the Affiant(s) does/do presently or upon settlement will reside at 7633 Perring Terrace Baltimore, Maryland 21734

That based upon personal knowledge, the following are the facts upon which I/we base the request for for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty) Dimensions of rear yard are inadequate to build proposed structure behind rear setback of house. Therefore requiring proposed

otructure to be built on side yard. Garage is needed for storage and to protect car. (Car previously stolen)
That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

AFFIANT (Handwritten Signature) MARK ALLEN LINTHICUM
AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief. AS WITNESS my band and Notarial Seal.

August 15, 1990



Mr. & Mrs. Mark A. Linthicum 7633 Perring Terrace Baltimore, MD 21234

RE: Item No. 25, Case No. 91-38-A Petitioner: Mark A. Linthicum, et ux Petition for Residential Variance

Dear Mr. & Mrs. Linthicum:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Zoning Plans Advisory Committee

JED:jw Enclosures

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines Zoning Commissioner

Dennis F. Rasmussen

Your petition has been received and accepted for filing this 18th day of July, 1990.

> J. ROBERT HAINES ZONING COMMISSIONER

Petitioner: Mark A. Linthicum, et al Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

J. Robert Haines Zoning Commissioner DATE: August 6, 1990

Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Mark A. Linthicum, Item No. 25

In reference to the Petitioner's request, staff offers no

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

ITEM25/ZAC1

Baltimore County Fire Department 700 East Joppa Road, Suite 901 Towson, Maryland 21204-5500 (301) 887-4500

Paul H. Reincke

J. Robert Haines

July 30, 1990

Dennis F. Rasmussen

Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204

RE: Property Owner: MARK A. LINTHICUM

#7633 PERRING TERRACE

Zoning Agenda: AUGUST 7, 1990

Gentlemen:

Location:

Item No.:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

Planning froup Fire Prevention Bureau Planning froup Special Inspection Division

JK/KEK

We, as owners, of lot #16 located at 1838 Wycliffe Road in the subdivision known as Harford Park, have no opposition to the zoning variance of a sideyard set-back of three feet in lieu of the current eight and one half feet needed to build proposed structure on adjoining lot #14 known as 7633 Perring

Terrace.

MARY E Kituen
(Printed Name)

The above appeared before me: Walter Walter Kitner of Mary E. Kitner and segred above statement This 16 th day of July, 1990.

#25. My Commission expires July 1, 1995

We, as owners, of lot #15 located at 7635 Perring Terrace in the subdivision known as Harford Park, have no opposition to the zoning variance of a sideyard set-back of three feet in lieu of the current eight and one half feet needed to build proposed structure on adjoining lot #14 known as 7633 Perring Terrace.

#25

BALTIMORE COUNTY. MARYLAND

INTER-OFFICE CORRESPONDENCE

J. ROBERT HAINES, ZONING COMMISSONER, DEPARTMENT ZONING CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES

ZONING TIEM #: 25

LOCATION: ELECTION DISTRICT: COUNCILMANIC DISTRICT:

PROPERTY OWNER:

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE

() PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.

() PARKING LOCATION NUMBER PARKING SPACES () RAMPS (degree slope) () CURB CUTS () SIGNAGE

() BUILDING ACCESS () PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.

A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.

() A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.

() STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

CHECK ITEM APPLICABLE TO THIS PLAN

BALTIMORE COUNTY. MARYLAND INTER-OFFICE CORRESPONDENCE

J. ROBERT HAINES, ZONING COMMISSONER, DEPARTMENT ZONING CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF

SUBJECT:

PROPERTY OWNER: LOCATION:

ELECTION DISTRICT: COUNCILMANIC DISTRICT:

FOLLOWING:

() PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.

() NUMBER PARKING SPACES () BUILDING ACCESS

SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.

SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.

USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE

() STRUCTURE

PERMITS MAY - A ONE HOUR FIRE RESISTANCE

TOWSON, MARYL EXTERIOR WALLS LESS THIS REVIEW CE FULL REVIEW

CHECK ITEM AL

PROPERTY LINE.

PERMITS & LICENSES ZONING LTEM #: 25

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE

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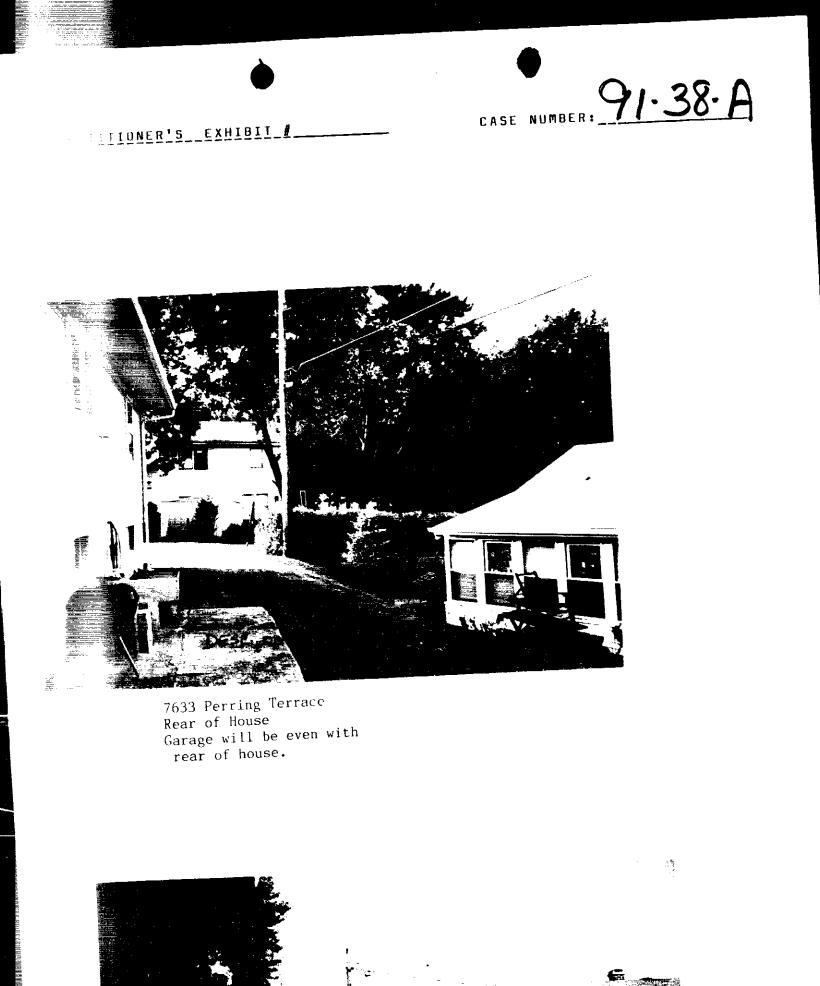
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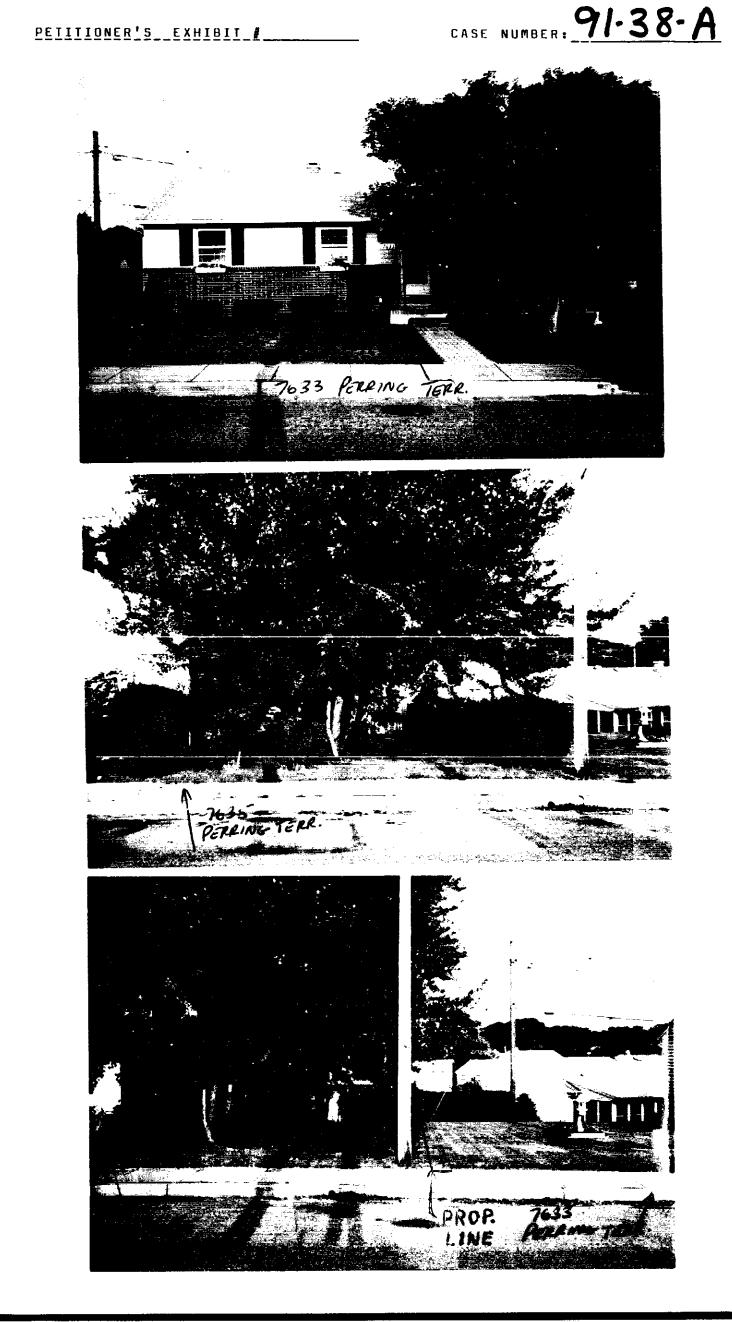
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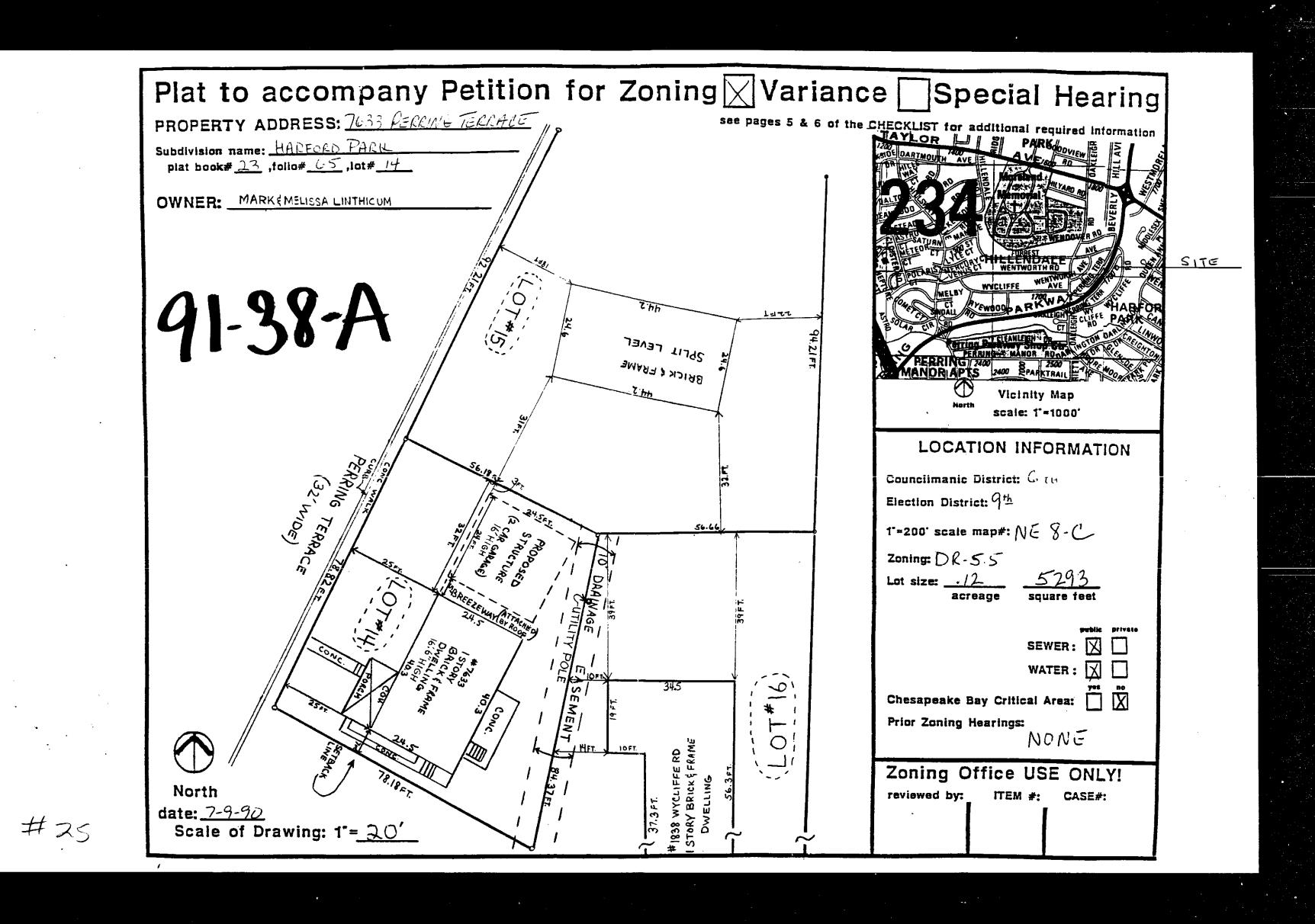
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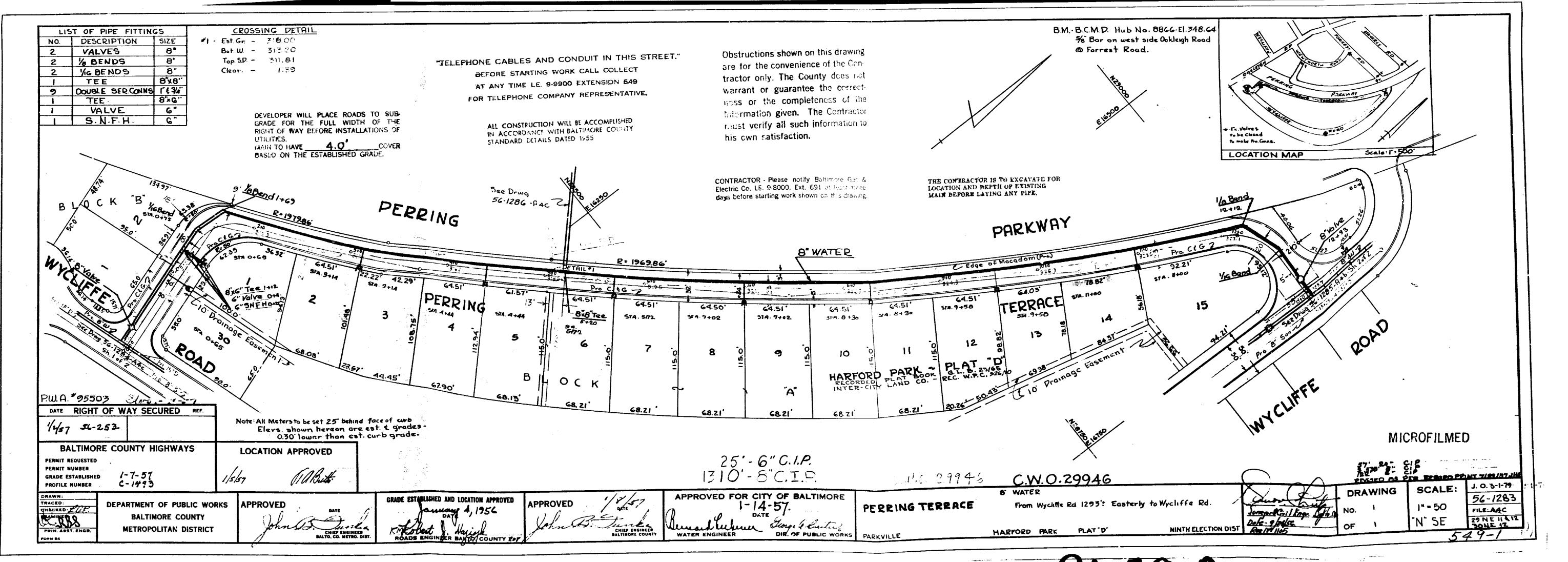


7633 Perring Terrace

Proposed Location of Garage







01-28

